

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

KEITH CROSBY,
Petitioner,

v.

MICHAEL ZENK,
Respondent,

Civil No.: 1:CV-00-2211
(Judge Kane)

7
8-28-01
JL
FILED
HARRISBURG
AUG 27 2001
MARY E. D'ANDREA, CLERK
Per. DEPUTY CLERK

**MOTION TO EFFECTIVELY DEFAULT THE
RESPONDENT AND GRANT HABEAS CORPUS RELIEF**

Comes now, KEITH CROSBY, pro se, petitioner, in the above styled and numbered cause, moves this Honorable Court for an Order effectively defaulting the respondent and grant habeas corpus relief. Petitioner states the following in support thereof:

1. Petitioner, KEITH CROSBY, is an inmate at the Allenwood Federal Correctional Institution in White Deer, Pennsylvania.

2. Crosby filed the instant petition pursuant 28 U.S.C. § 2241. The petition for Writ of Habeas Corpus raises a claim against the United States Parole Commission ("Commission").

3. By Order dated June 4, 2001, respondent was ordered to show cause on or before June 25, 2001, why Crosby should not be granted habeas corpus relief.

4. On June 21, 2001, the respondent requested this Court to grant him a 20 day enlargement of time in which to file his response to the Court's show cause order.

5. On or about June 27, 2001 this Court granted the respondent's motion requesting a 20 day enlargement of time.

6. As of August 22, 2001, petitioner has not been served with a copy of respondent's response as ordered by the Court.

7. Since the respondent has chosen to simply ignore an order of the Court.

8. The petitioner ask this Court to hold the respondent in contempt of this Court's order.

Wherefore, petitioner should be granted habeas relief due to the respondent's failure to oppose his motion and because law and justice requires that he be given relief for all the reasons mentioned in his § 2241 motion and accompanying memorandum of law.

August 22, 2001

Respectfully submitted,

Keith Crosby

Keith Crosby #2980-066 29802-0
F.C.I. Allenwood (MED)
P.O. BOX 2000
White deer, PA 17887-2000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing motion to Effectively Default the respondent was served on opposing counsel by depositing into the mail receptable at F.C.I. Allenwood, First Class Postage prepaid, said copy to:

MATTHEW E. HAGGERTY, Assistant U.S. Attorney
228 Walnut Street
P.O. Box 11754
Harrisburg, PA 17108-1754

Date: August 22, 2001

Keith Crosby

KEITH CROSBY